REGISTER OF CLASSIFICATION DECISIONS

Title of Publication:	Fox Holiday 2005 Vol. 24 No. 7
Other Known Title:	Fox Holiday 2005
Format:	Magazine
Director/Author:	Not Applicable
Producer/Publisher:	Jill Kelly
Country of Origin:	USA
Language:	English
Applicant:	Secretary for Internal Affairs
Distributor:	MRC
Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
Descriptive Note:	Not Applicable.
Display Conditions:	That when the publication is on public display, the classification given to the publication must be shown by way of a label issued in accordance with a direction under section 36A(2); and That the label must be affixed to the package in which the publication is displayed so that the classification is brought to the attention of purchasers; and that the publication must be publicly displayed only in a sealed package.
Date of entry in Register:	01 August 2006
Date of direction to issue a label:	01 August 2006

OFLC No: 600762

Excisions: Not Applicable

Reasons for excisions:

Not Applicable

Summary of reasons for classification:

The magazine *Fox Holiday 2005 Vol. 24 No. 7* is classified as:
Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

The magazine focuses on the explicit presentation of sex involving experienced adult participants. Some of the advertisements for sexual services refer to women as being teenagers. These are so ambiguous, and their extent throughout the magazine so limited, that the magazine does not reach a threshold where it can fairly be said to promote and support, or tend to promote or support, the exploitation of young persons for sexual purposes. In addition, the magazine contains aspects of a degrading and demeaning nature, but does not do so to such an extent that would require the magazine to be classified as objectionable.

While children and young persons would be injured by exposure to the magazine, adults aged over the age of 18 years have sufficient life experience and maturity to regard the activities and the opinions expressed as sexual fantasy. Considerations under s3(1), s3(3)(a)(iii) and s3(3)(c) of the Films, Videos, and Publications Classification Act 1993 have been weighed against the right to freedom of expression set out in s14 of the New Zealand Bill of Rights Act 1990. This restriction is reasonable, justified and in accordance with the law. Limitations on the publication's availability are the minimum restriction that can be applied in order to prevent likely injury to the public good.